

a.) Amendment to the Claims

1. (Currently Amended) A process for producing an amino acid, which comprises the steps of:

culturing, in a medium, a microorganism expressing a heterologous DNA encoding NADH dehydrogenase in which the number of protons discharged per electron is zero, said heterologous DNA being selected from the group consisting of (i) SEQ ID NOS: 3, 5, 7, 9, 11, 13 and 15, or and (ii) a DNA which hybridizes, under stringent conditions, with a DNA having a nucleotide sequence complementary to the nucleotide sequence of a DNA selected from the group consisting of SEQ ID NOS:3, 5, 7, 9, 11, 13 and 15,

forming and accumulating an amino acid in a culture, and

recovering the amino acid from the culture,

wherein said stringent condition comprise hybridization at 65°C in the presence of 0.7 to 1.0 mol/l NaCl on a filter having fixed DNA followed by washing at 65°C using 0.1 to 2-fold SSC.

2. (Currently Amended) The process according to claim 1, wherein the heterologous DNA encoding NADH dehydrogenase (i) or (ii) is derived from a microorganism selected from the group consisting of *Corynebacterium*, *Escherichia*, *Pseudomonas*, *Azotobacter*, *Salmonella* and *Lactobacillus*, or a DNA which hybridizes,

~~under said stringent conditions, with a DNA having a nucleotide sequence complementary to the nucleotide sequence of the DNA.~~

3. (Currently Amended) The process according to ~~claim 1, claim 2,~~ wherein the heterologous DNA encoding NADH dehydrogenase (i) or (ii) is derived from a microorganism selected from the group consisting of *Corynebacterium glutamicum*, *Corynebacterium diphtheriae*, *Escherichia coli*, *Pseudomonas fluorescens*, *Azotobacter vinelandii*, *Salmonella typhimurium* and *Lactobacillus plantarum*, or a DNA which hybridizes, ~~under said stringent conditions, with a DNA having a nucleotide sequence complementary to the nucleotide sequence of the DNA.~~

Claim 4 (Cancelled).

5. (Currently Amended) The process according to claim 1, wherein the heterologous DNA encoding NADH dehydrogenase (i) or (ii) is DNA within the plasmid pCS-CGndh within *Escherichia coli* DH5 α /pCS-CGndh or a DNA which hybridizes, ~~under said stringent conditions, with a DNA having a nucleotide sequence complementary to the nucleotide sequence of the DNA.~~

6. (Currently Amended) The process according to claim 1, wherein the NADH dehydrogenase is a polypeptide having an amino acid sequence selected from the group consisting SEQ ID NOs: 4, 6, 8, 10, 12, 14 and 16, or and a polypeptide comprising an amino acid sequence selected from the group consisting of SEQ ID NOS:4, 6, 8, 10, 12, 14 and 16 wherein 1 to 20 amino acid residues are deleted, substituted or added in the amino acid sequence of the polypeptide.

7. (Currently Amended) The process according to claim 1, wherein the NADH dehydrogenase is encoded by heterologous DNA (i) or (ii) comprised in a plasmid pCS-CGndh within *Escherichia coli* DH5a/pCS-CGndh or a polypeptide comprising an amino acid sequence wherein 1 to 20 amino acid residues are deleted, substituted or added in the amino acid sequence of the polypeptide.

8. (Previously Presented) The process according to claim 1, wherein the microorganism is selected from the group consisting of *Escherichia*, *Corynebacterium*, *Brevibacterium*, *Arthrobacter*, *Aureobacterium*, *Cellulomonas*, *Clavibacter*, *Curtobacterium*, *Microbacterium*, *Pimerobacter* and *Bacillus*.

9. (Previously Presented) The process according to claim 1, wherein the microorganism belongs to the genus *Escherichia*.

10. (Previously Presented) The process according to claim 1, wherein the microorganism belongs to the species *Escherichia coli*.

11. (Previously Presented) The process according to claim 1, wherein the microorganism belongs to the genus *Corynebacterium*.

12. (Previously Presented) The process according to claim 1, wherein the microorganism is selected from the group consisting of *Corynebacterium glutamicum*, *Corynebacterium flavum*, *Corynebacterium lactofermentum*, and *Corynebacterium efficasis*.

13. (Previously Presented) The process according to claim 1, wherein the microorganism belongs to the species *Corynebacterium glutamicum*.

14. (Previously Presented) The process according to claim 1, wherein the amino acid is selected from the group consisting of L-glutamic acid, L-glutamine, L-aspartic acid, L-asparagine, L-lysine, L-methionine, L-threonine, L-arginine, L-proline, L-citrulline, L-valine, L-leucine, L-isoleucine, L-serine, L-cysteine, glycine, L-tryptophan, L-tyrosine, L-phenylalanine and L-histidine.

15. (Previously Presented) The process according to claim 1, wherein the amino acid is selected from the group consisting of L-glutamic acid, L-glutamine and L-lysine.

Claims 16-26 (Cancelled).